

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jaime Alfonso ZEVADA-Rodriguez,

Defendant

Magistrate Docket No.

FILED  
07 DEC 20 AM 9:39  
'07 MJ2939  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA


COMPLAINT FOR VIOLATION OF DEPUTY

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

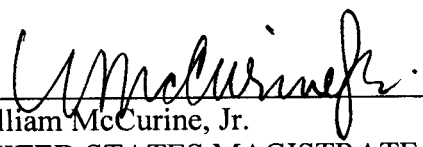
The undersigned complainant, being duly sworn, states:

On or about **December 19, 2007** within the Southern District of California, defendant, **Jaime Alfonso ZEVADA-Rodriguez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th DAY OF DECEMBER  
2007

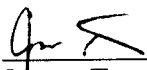
  
\_\_\_\_\_  
William McCurine, Jr.  
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:****Jaime Alfonso ZEVADA-Rodriguez****PROBABLE CAUSE STATEMENT**

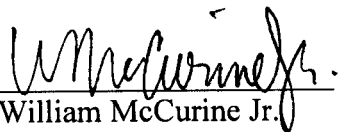
On December 19, 2007, Senior Border Patrol Agent T. Tucciarone, was conducting line watch operations in the vicinity of Tecate, California. At approximately 11:00 a.m., Agent Tucciarone responded to the activation of a seismic intrusion sensor near Bell Valley. This area is approximately four miles east and one half mile north of the Tecate Port of Entry. Shortly after arriving in the vicinity of the device, Agent Tucciarone found three individuals attempting to hide in the brush. Agent Tucciarone identified himself as a Border Patrol Agent and questioned the subjects as to their citizenship. All three subjects, including one later identified as the defendant **Jaime Alfonso ZEVADA-RODRIGUEZ** freely admitted that they were citizens and nationals of Mexico. All three subjects also stated that they were not in possession of any immigration documents allowing them to enter or remain in the United States legally. Agent Tucciarone then placed the subjects under arrest and transported them to the Tecate Processing Center in Tecate, California.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **October 13, 2004** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights and stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted to being a citizen and national of Mexico, and that he is present without immigration documents that would allow him to enter or remain in the United States legally. The defendant was heading to Los Angeles, California to work.



James Trombley  
Senior Patrol Agent



William McCurine Jr.  
U.S. Magistrate Judge

12/20/07 0921hrs  
Date/Time